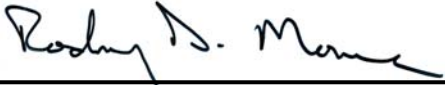


**RICHMOND POLICE DEPARTMENT GENERAL ORDER**

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

Chapter	Number	Effective Date	Review Date
8	8	12/19/06	2010
Subject PARKING REGULATIONS		☐ New Order ☒ Replaces O.O. 507-1 (06/11/04) E.O. 02-14 (03/18/04) E.O. 03-12 (05/23/03)	
References CALEA 61.1.13 VLEPSC ADM.02.03, ADM.14.01, ADM.25.11 and OPR.07.01 Richmond City Code Chapter 28 VA Code Chapter 46.2 Virginia Records Retention and Disposition General Schedule No. 17			
 _____ Chief of Police or Designee		12/19/06 _____ Date	

I. PURPOSE

The purpose of this order is to establish the policy and procedure for the issuance of parking citations to officers and to provide administrative and enforcement guidelines for the use of traffic citations.

II. POLICY

It is the policy of the Richmond Police Department to ensure accountability for the issuance of parking citations and to enforce parking regulations.

III. PROCEDURE**A. *Parking of Department Vehicles***

All department vehicles shall be parked in conformity with the traffic regulations. In emergency cases, or while on assignment, department vehicles may be parked in violation of the traffic regulations. However, once the emergency ceases, vehicles shall be parked properly.

B. Issuance of and Accountability for Parking Citations:

1. All parking citation forms will be kept under lock and key at the Property and Evidence Unit, prior to issuance.
2. The Property and Evidence Unit will issue the parking citation forms to each Precinct and other Services/Divisions/Units/Teams.

3. Control logs will be maintained at each location where the parking citations are issued. Each Precinct Commander or his/her designee will review this log to ensure proper accountability.

C. Issuance of Parking Citations by Supervisors:

1. The following information will be written in the control log by the supervisor:
 - a) Citation numbers;
 - b) The name of the officers receiving the parking citation forms; and,
 - c) Date that the parking citations are issued to the officer(s).
2. The officers will sign the control log when the parking citation forms are received.
3. Upon issuance of all the parking citations, the issuing officer will return the completed control card to the supervisor.
4. The supervisor will note in the control log that the citations have been issued and accounted for.

D. Citation Tags:

1. Once the tag has been written, the officer shall retain the court copy. The duplicate copy of the tag, which is attached to the envelope, shall be placed on the vehicle in violation.
2. A control card is used to record the date, license number, and the violation code. This card will be maintained by the issuing officer and turned in when all of the allotted tags are issued.
3. The parking citation will be printed with correct information and in a legible fashion.
4. Every tag must be processed and cleared through the Parking Violation Section located in City Hall.
5. The completed court copy of the citation must be turned in, prior to the end of the officer's tour of duty.
6. The control cards must be maintained for the present plus one-year.

E. Voiding of Traffic Citations:

1. Certain circumstances may require that parking citations be withdrawn after having been issued. Only the Judges of the General District Court, Traffic Division may grant the dismissal of citations. The Officer-in-Charge, Traffic Unit, has been authorized to submit to the Court citations that are to be considered for dismissal.
2. The Officer-in-Charge, Traffic Unit, will ensure that a database of all citations submitted for dismissal is maintained to include:

- a) The officer that issued or received the citation.
 - b) The supervisor requesting the dismissal
 - c) The vehicle the citation was issued to as well as the time, date and location that the citation was issued.
 - d) The reason for the request for dismissal.
3. The Officer-in-Charge will review the citation and the reason that a dismissal is sought. He/she will approve the dismissal and delegate a police officer to present the citation and the reason for dismissal to the Judge of the General District Court, Traffic Division for resolution.
4. The circumstances that are to be considered grounds for dismissal are:
- a) Citations issued to law enforcement vehicles while in the performance of duty;
 - b) Verified defective parking meters;
 - c) Citations issued in error;
 - d) Citations received by officers while in court provided:
 - (1) They are parked in a metered or time zone;
 - (2) They inserted coins to cover the maximum period of the time the meter allows; and,
 - (3) A court overtime slip verifies their presence;
 - e) Improper Signage; and,
 - f) Exigent circumstances exist whereby the means of justice are best served.
5. The responsibility for notifying the Department of Finance when a parking citation is dismissed rests with the Clerk of the General District Court, Traffic Division.

F. Supervisory Responsibility:

- 1. A supervisor will verify one of the above circumstances exists before submitting excusable citations.
- 2. The supervisor shall remove the envelope and the perforations from the violator's copy of the parking citation and certify the following in writing on the back of the citation and sign the parking citation:
 - a) The name of the vehicle's registered owner;
 - b) Address of the vehicle's registered owner; and,

- c) The circumstances under which the officer is requesting the citation to be voided.
- 3. When available, the court copy of the parking citation will be attached to the violator's copy.
- 4. ***A log of all traffic citations sent to Traffic Court for dismissal will be kept on file in the Traffic Unit.***

Note: Parking tickets shall be retained for three years after issuance or until audited, whichever is greater, then they shall be destroyed ***in accordance with the State of Virginia Records Retention and Disposal Schedule.***

Only the Court can excuse parking citations not falling in the above listed categories and, ***only the Traffic Court judge has the power to dismiss a citation once it has been written.***

G. Holiday Enforcement (Traffic Order 2869 – May 2, 2003)

- 1. Parking time limits, both metered and non-metered, and morning and afternoon peak period towing regulations, will not be enforced on the following holidays:
 - a) New Year's Day - January 1
 - b) Lee-Jackson Day
 - c) Martin Luther King, Jr. Day – Third Monday of January
 - d) George Washington's Birthday – Third Monday of February
 - e) Memorial Day - Last Monday of May
 - f) Independence Day - July 4
 - g) Labor Day - First Monday of September
 - h) Columbus Day/Yorktown Victory Day – Second Monday of October
 - i) Veteran's Day – November 11
 - j) Thanksgiving Day - Fourth Thursday of November
 - k) The day following Thanksgiving Day
 - l) Christmas Day - December 25
 - m) Any other legally declared holidays by City, State or Federal governments.
- 2. When one of the above holidays falls on a Saturday or Sunday, the day substituted for that holiday by the government of the City of Richmond shall be treated as if it were the actual holiday.

H. Court Procedures:

1. Parking citations may be paid in person at the Parking Violation Section, Room 102 in City Hall, or by mail.
2. If citizens wish to contest citations, **they** should be advised to call the Parking Violations Section at 646-5700 to schedule a court hearing.

I. Parking Enforcement:

1. ***Parking enforcement in the City of Richmond is a shared responsibility between the contracted vendor (currently Lanier Parking, 1923 E. Franklin St., 225-7275) and the City of Richmond. The contracted vendor's employees*** will be responsible for repairing broken or malfunctioning meters as well as the issuance of parking tickets. The City of Richmond's contracted vendor will be responsible for meter collections. All of the above mentioned employees will carry a picture identification card verifying their authority.
2. Coin canisters used for collection will bear the City of Richmond emblem on three sides and a series number for the canister in one location.
3. Officers shall question any individual without proper attire or credentials. If an officer has any doubt concerning the identification of any individual or individuals tampering with the City's parking meters, the officer shall contact the City's Parking Meter Collection Division immediately.

J. Enforcement of the City's Nighttime Parking Ordinance:

1. The Richmond City Code prohibits parking vehicles in excess of 7500 pounds on any highway or public place between 12:00 midnight and 6:00 a.m., or parking vehicles in excess of 7500 pounds at any time in a residential district other than for expeditious loading or unloading. The market area, which is located from North 17th Street to North 21st Street and East Grace Street to East Main Street, is exempt from this code provision.
2. The City Code also prohibits the parking of a trailer, semi-trailer or motor home in residential neighborhoods between 12:00 midnight and 6:00 a.m.

K. Special Parking Privileges for Disabled Veterans and Handicapped Persons:

1. VA Code §46.2-731 permits the issuance of disabled parking license plates to persons with physical disabilities that limit or impair their ability to walk or to organizations for vehicles primarily used to transport persons with disabilities. VA Code §46.2-739 permits the issuance of special license plates to disabled veterans.
2. VA Code §46.2-1241 permits the issuance of disabled parking placards to qualifying individuals and organizations. The organizational removable placards, permanent removable windshield placards, and temporary removable windshield placards issued under this Section shall be displayed in such a manner that they may be viewed from the front and rear of the vehicle and be hanging from the rearview mirror of a vehicle utilizing a parking space reserved for persons with

disabilities that limit or impair their ability to walk. When there is no **rearview** mirror, the placard shall be displayed on the vehicle's dashboard. No placard shall be displayed from the rearview mirror while a vehicle is in motion. Out of state and foreign disability permits/plates will be accepted when displayed in Virginia, if they carry a valid expiration date on them.

3. VA Code grants certain parking privileges to qualified persons. Motor vehicles displaying Virginia registration plates with the alpha prefix DV (Disabled Veteran) or HP (Handicapped Person) followed by four numeric symbols, shall be granted certain parking privileges.
 4. Qualifying vehicles are allowed to park for four hours in parking zones restricted as to lengths of parking time permitted and are further exempted from paying parking meter fees to any City, County, or Town. This section does not apply to any ordinance, which creates zones where stopping, standing or parking is prohibited, or which creates parking zones for special types of vehicles, nor shall it apply to any ordinance prohibiting parking during heavy traffic periods, during specific rush hours, or where parking would clearly present a traffic hazard.
 5. VA Code §46.2-1242 prohibits vehicles, other than those displaying disabled parking license plates, a disabled parking placard issued under §46.2-1241 or DV disabled license plates which have been issued under subsection B of §46.2-739, from parking in any parking spaces reserved for persons with disabilities. This Section also prohibits any person without a disability that limits or impairs his/her ability to walk from parking a vehicle with disabled parking license plates, organizational removable placards, permanent removable windshield placards, temporary removable placards, or DV disabled parking license plates in a parking space reserved for persons with disabilities that limit or impair their ability to walk except when transporting a disabled person in the vehicle.
 6. Any person who makes a false statement of material fact to obtain or assist an individual in obtaining a disabled parking plate, DV disabled parking license plate which has been issued under subsection B of §46.2-739, organizational removable windshield placard, permanent removable windshield placard, or temporary removable windshield placard shall be guilty of a Class 2 misdemeanor.
- L. State Code Section **§46.2-1242** concerns the regulation of parking spaces reserved for disabled persons and the fixing of punishment for unauthorized use of such spaces.
1. This ordinance provides that ***no vehicles other than those displaying disabled parking license plates or other allowable placards shall be parked in any parking spaces reserved for persons with disabilities.***
 2. ***A summons or parking ticket for the offense may be issued by law-enforcement officers, authorized uniformed law-enforcement department employees, or volunteers acting pursuant to §46.2-1244 without the necessity of a warrant being obtained by the owner of any private parking area.***
 3. ***Parking a vehicle in a space reserved for persons with disabilities in violation of Section §46.2-1242 shall be punishable by a fine.***

M. Parking Privileges - Members of General Assembly

1. City Code Section **102-278** authorizes the following vehicles to park at parking meters or in time zones for unlimited periods of time without depositing coins:
 - A. Vehicles with the word "DELEGATE" on the license plate.
 - B. Vehicles with the word "SENATOR" on the license plate.
 - C. Vehicles with a sticker or decal parking permit indicating "Member of the Virginia General Assembly."
2. While the General Assembly is in session, which includes full assembly or called committee meetings of its members, any vehicle with a "Delegate" or "Senator" license plate or a General Assembly member parking pass or tags are exempt from meter fees. These vehicles, however, must obey all parking regulations as it pertains to No Parking Zones or Towing Away Zones.
3. Vehicles with a "Member of the Virginia General Assembly" sticker or decal parking permit shall have year-round parking privileges.

IV. **ROLES AND RESPONSIBILITIES:** *All employees must fully comply with this General Order or appropriate disciplinary actions will be taken.*

A. **Officer:**

1. *Issue parking citations;*
2. *Contact the City Parking Meter Collection Division when questions arise concerning individuals presenting themselves as employees but without proper attire or credentials; and*
3. *Complete and sign Control Log, returning control card to supervisor when all citations in the log book have been issued and retaining court copy.*

B. **Supervisor:**

1. *Verify grounds for dismissal before submitting excusable citation;*
2. *Follow procedures for certifying a violator's parking citation log; and*
3. *Enter dates control cards were returned into the log book.*

C. **Traffic Unit OIC:**

1. *May authorize citation to be submitted for dismissal;*
2. *Ensure maintenance of citation submitted for dismissal; and*
3. *Submit Dismissal Citation Report to City of Richmond Finance Department.*

D. **Precinct Commander or designee:**

1. *Review Parking Citation logs for accountability ; and*
2. *Maintain a logbook of officers and the citation(s) he/she has issued with date received, date returned and officer's signature.*

E. *Property & Evidence Unit:*

Issue Citation tags to precincts, divisions and units.

V. **FORMS**

A. *Parking Citation Forms*

B. *Parking Citation Control Tag*